

Exhibit 1

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1 IN THE UNITED STATES DISTRICT COURT FOR
2 THE MIDDLE DISTRICT OF ALABAMA
3 NORTHERN DIVISION
4

5 DOROTHY MANZY,

6 Plaintiff,

7 vs.

CIVIL ACTION NO.

8 2:05-CV-395-ID-SRW

9 MONTGOMERY HOUSING

10 AUTHORITY and LANE BOGGS,

11 Defendants.
12

13 * * * * *

14
15 DEPOSITION OF DOROTHY MANZY,
16 taken pursuant to notice and stipulation
17 on behalf of the Defendants, in the law
18 offices of Bradley, Arant, Rose & White,
19 401 Adams Avenue, Montgomery, Alabama,
20 before Nicole Paulk, Certified Shorthand
21 Reporter and Notary Public in and for the
22 State of Alabama at Large, on March 17,
23 2006, commencing at 9:56 a.m.

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1 understand which date you were talking
2 about just then. When were you
3 terminated?

4 A. I believe it was August 2004.

5 Q. Okay. So does that change your answer
6 about when you received worker's
7 compensation benefits?

8 A. Yes.

9 Q. So when did you receive those?

10 A. August.

11 Q. I'm sorry. I said worker's compensation.
12 I meant unemployment compensation
13 benefits.

14 A. From August 2004 through I guess January
15 2005.

16 Q. Okay. And in January 2005 did the
17 benefits run out or did you get a job or
18 what happened?

19 A. I got a job.

20 Q. You said you had worked for Gayfers and
21 then you left Gayfers to work for the
22 Montgomery Housing Authority, and then you
23 said that you received unemployment.

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1 authority; is that correct?

2 A. Correct.

3 Q. And what position did you first start at,
4 at the housing authority?

5 A. Management assistant.

6 Q. Do you remember -- I know it's been a long
7 time, but do you remember how you learned
8 about the job?

9 A. Through city personnel.

10 Q. City personnel?

11 A. Yes.

12 Q. Are you saying the personnel department of
13 the city of Montgomery?

14 A. Correct.

15 Q. If you remember, can you tell me sort of
16 the process of how you got hired? Did you
17 have to take a test or anything like that?

18 A. No. I completed an application and was
19 called in for an interview.

20 Q. Did you interview with Mr. Thompson?

21 A. Thomas, yes.

22 Q. Oh, Thomas, okay. I think I was talking
23 on top of you. So you did interview with

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1 Mr. Thomas?

2 A. Yes.

3 Q. Was that the only interview that you had?

4 A. Yes.

5 Q. And then after you were hired, was there
6 an new employee orientation that you went
7 through?

8 A. Yes.

9 Q. Do you remember who your supervisor was
10 when you first started as a management
11 assistant?

12 A. Ms. Annie Huffman.

13 Q. H --

14 A. H-U-F-F-M-A-N.

15 Q. And do you remember what your salary was
16 at the time?

17 A. 12,000 a year.

18 Q. And then were you ever promoted from
19 management assistant?

20 A. Yes.

21 Q. What was the first promotion?

22 A. Assistant manager.

23 Q. Do you remember what year that occurred?

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1 A. I can't recall.

2 Q. Okay. Let me ask it this way: Do you
3 remember about how many years you had been
4 there before you got your first promotion?

5 A. I would say -- I'm not quite sure. I
6 would say maybe about seven or eight years
7 before I...

8 Q. So about seven or eight years, but you're
9 not entirely sure?

10 A. No, I'm not quite sure.

11 Q. So do you know what your salary was as
12 assistant manager?

13 A. It was like 20,000.

14 Q. So when you got promoted to assistant
15 manager, were you still making 12,000 a
16 year as a management assistant or had your
17 salary increased a little?

18 A. It had increased.

19 Q. Do you know what it was by the time you
20 got promoted?

21 A. May have been like 18,000 or something.

22 Q. And do you remember how long you worked as
23 an assistant manager?

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1 A. I would say maybe five years. I'm not
2 entirely sure.

3 Q. When you were a management assistant, were
4 you assigned to a certain community within
5 the housing authority?

6 A. Yes.

7 Q. Which community was that?

8 A. Gibbs Village.

9 Q. Do you remember who your supervisor was?

10 A. Ms. Huffman, Annie Huffman.

11 Q. Oh, I'm sorry, you told me that. And then
12 when you were promoted to assistant
13 manager, were you still at Gibbs Village?

14 A. Yes.

15 Q. And was Ms. Huffman still your supervisor?

16 A. Yes.

17 Q. And did you receive another promotion
18 after that, from assistant manager?

19 A. To manager.

20 Q. Do you remember when that was?

21 A. That was in 1994.

22 Q. Who was your supervisor when you first
23 became a manager?

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1 A. We had an area supervisor. I believe it
2 was Ms. Tatum, Marva Tatum.

3 Q. Martha Tatum?

4 A. Marva, M-A-R-V-A.

5 Q. Oh, Marva, okay. What was Ms. Huffman's
6 title?

7 A. She was a manager.

8 Q. So when you were promoted to manager, was
9 that still over Gibbs Village?

10 A. No.

11 Q. Where was that?

12 A. Smiley Court.

13 Q. And did Ms. Huffman remain the manager at
14 Gibbs Village?

15 A. Yes.

16 Q. So you moved from being an assistant
17 manager at Gibbs Village to being a
18 manager at Smiley Court; is that right?

19 A. Yes. Well, I had been transferred to
20 Cedar Park under Ms. Huffman, so -- Ms.
21 Tatum, and I left from Cedar Park to
22 Smiley Court.

23 Q. When you were at Cedar Park, were you

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1 still an assistant manager?

2 A. Yes.

3 Q. When you first became a manager, though,
4 you worked at Smiley Court?

5 A. Yes.

6 Q. How long were you the manager at Smiley
7 Court?

8 A. Let's see. I think from 1994 through -- I
9 finished --

10 Q. I need you to speak up because she can't
11 hear you.

12 A. Oh, I'm sorry. I'm thinking out loud. I
13 would say four years maybe.

14 Q. So from approximately 1994 to
15 approximately 1998; does that sound right?

16 A. Yes.

17 Q. So when you were a manager of Smiley
18 Court, you reported to Marva Tatum, who
19 was the area supervisor?

20 A. Yes.

21 Q. Did you have anybody that worked under you
22 at Smiley Court, anybody that reported to
23 you?

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1 A. Yes.

2 Q. Who were they?

3 A. There was a Mr. James Evans. He's
4 deceased.

5 Q. I'm sorry, he's deceased? What was his
6 title?

7 A. Clerk typist.

8 Q. Anybody else?

9 A. Yvonne Payton.

10 Q. Yvonne who?

11 A. Payton.

12 Q. P-A --

13 A. -- Y-T-O-N.

14 Q. And what was her title?

15 A. Assistant manager.

16 Q. Anybody else?

17 A. Those are about the only two that I can
18 think of.

19 Q. Did Ms. Payton work with you the entire
20 time you were at Smiley Court?

21 A. No.

22 Q. Do you remember where her employment fell
23 in? That's a bad question. Do you

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1 remember how long you had -- well, let me
2 stop that. Was she the only assistant
3 manager who ever worked for you when you
4 were at Smiley Court?

5 A. I think there was another girl who came.
6 I cannot recall her name. Wells. Her
7 last name was Wells.

8 Q. She was also an assistant manager?

9 A. Yes, uh-huh.

10 Q. So did you always have an assistant
11 manager while you were at Smiley Court?

12 A. No.

13 Q. Do you remember the period of time that
14 you did not have an assistant manager?

15 A. Do you mean the year or for how long?

16 Q. However you remember it. If you don't
17 remember the years -- if you remember, for
18 example, there was a year when I didn't
19 have an assistant manager or there was two
20 weeks when I didn't have an assistant
21 manager.

22 A. There probably was a year when I didn't
23 have one.

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1 Q. So of the approximately four years, you
2 think it was about a year that you didn't
3 have an assistant manager?

4 A. Yes.

5 Q. Do you remember, was that year at the
6 beginning of when you became a manager or
7 at the end of when you became a manager?

8 A. Near the end.

9 Q. I'm sorry. I said manager, but I meant
10 assistant manager. And do you know why
11 you didn't have an assistant manager?

12 A. I can't recall. It may have been due to
13 transfers or something, you know, trying
14 to accommodate the other offices. And I
15 think at the time Mr. Evans was there.

16 Q. Was Mr. Evans there the whole time that
17 you were a manager?

18 A. No.

19 Q. What period of time was he there?

20 A. Probably a little after I started, then a
21 year after I became the manager there.

22 Q. So you had been there a year and then he
23 started; is that right?

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1 A. I believe so.

2 Q. And then was he still there when you left
3 in '98?

4 A. Yes.

5 Q. And after Smiley Court, were you the
6 manager of another community?

7 A. Yes.

8 Q. Which one was that?

9 A. Trenholm Court.

10 Q. Do you remember the years that you were a
11 manager at Trenholm Court?

12 A. I don't remember the years exactly, but it
13 probably was about two years after I left
14 Smiley.

15 Q. So it would have been from approximately
16 '98 to approximately 2000?

17 A. Yes.

18 Q. Backing up to Smiley Court, how many
19 housing units were at Smiley Court?

20 A. 500.

21 Q. And how many were at Trenholm?

22 A. Approximately 400.

23 Q. Did you have anybody that worked under you

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1 management decision. I don't know -- I
2 can't recall what it was based on; I just
3 know it was their doing.

4 Q. So you didn't apply for a transfer?

5 A. No.

6 Q. Just one day the management said, Ms.
7 Manzy, we're going to move you from Smiley
8 Court to Trenholm Court?

9 A. Yes.

10 Q. Okay. Do you remember what your salary
11 was when you were -- approximately what
12 your salary was when you were working at
13 Smiley Court?

14 A. About 20,000.

15 Q. And by the time you got to Trenholm Court,
16 do you remember what you were making at
17 that point? That would have been from
18 approximately '98 to 2000.

19 A. It may have been the late 20s, like 27,
20 28, 29 or something.

21 Q. Just somewhere in the upper 20s?

22 A. Uh-huh. I'm not exactly sure about the
23 salary.

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1 Q. Okay. Did you transfer from Trenholm
2 Court to another community?

3 A. Yes.

4 Q. And where was that?

5 A. Patterson Court.

6 Q. Did you have anybody who worked under you
7 at Patterson Court?

8 A. Yes.

9 Q. And who was that?

10 A. Deborah Ahkimei.

11 Q. Do you know how to spell her last name?

12 A. It's A-H-K-I-M-E-I.

13 Q. M-E-I?

14 A. Yes.

15 Q. And what was her title?

16 A. She was assistant manager.

17 Q. Do you remember the approximate dates that
18 you worked at Patterson Court?

19 A. That I worked there?

20 Q. Right.

21 A. From the time I left Trenholm up until
22 2004, so....

23 Q. It was approximately 2000 to 2004?

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1 A. Yes, I think so.

2 Q. So you remember that you worked there
3 about four years; would that be right?

4 A. I'm not quite sure. I don't know why I'm
5 thinking I was there maybe two years.
6 Maybe two to four years.

7 Q. Do you remember, did Ms. Ahkimei, was she
8 there when you first started at Patterson
9 Court?

10 A. Yes.

11 Q. Was she there when you left?

12 A. No.

13 Q. Do you remember how long she was there?

14 A. She was there for -- I think she left a
15 year after I left, so...

16 Q. Left a year what?

17 A. After I left. After I was fired, she had
18 been gone at least a year.

19 Q. Okay. So by the time you were terminated,
20 she had already been gone for a year?

21 A. Yes.

22 Q. Okay. Do you remember why she left?

23 A. Mr. McInnish cut staff and he laid her

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1 off.

2 Q. So other than -- and I'm sorry if I've
3 already asked you this, but other than Ms.
4 Ahkimei, was there anybody else that
5 worked under you when you were the manager
6 at Patterson Court?

7 A. No.

8 Q. No? So would it be correct that it was
9 your last year there or approximately your
10 last year there that you did not have an
11 assistant manager who worked under you?

12 A. Yes.

13 Q. This staff cut that you were talking
14 about, were there other people within the
15 housing authority that you knew that were
16 laid off at about the same time?

17 A. Yes.

18 Q. And who were they?

19 A. I cannot recall their names. It was
20 several people. I can't recall their
21 names.

22 Q. Were they all assistant managers?

23 A. I'm not for sure. I'm not for sure.

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1 Q. Do you remember what your salary was when
2 you started working at Patterson Court?

3 A. I'm not for sure. I'll just say maybe 37.
4 Maybe 37, something like that.

5 Q. Do you remember what your salary was by
6 the time you left?

7 A. 39.

8 Q. What were your responsibilities as a
9 manager at Patterson Court?

10 A. My responsibility entails the overall
11 operation of the complex; supervising the
12 work of the assistant; collecting rents
13 from the residents; counseling with the
14 residents --

15 Q. What was the last part?

16 A. -- counseling with the residents;
17 conducting re-examination; verifying
18 income; preparing reports; conducting yard
19 inspections; house inspections.

20 Q. Hold on a second. You said verifying
21 income, and then what was the next thing
22 you said?

23 A. Conducting yard inspections, apartment

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1 write-ups do you remember? How many
2 write-ups do you remember receiving while
3 you were at the housing authority?

4 A. Okay. Let's see. Maybe two.

5 Q. Do you remember what they were for?

6 A. The first one was when I -- okay. I can't
7 remember what it was for. I can't
8 remember what it was for.

9 Q. What about the second one?

10 A. That was when I was dismissed, during the
11 time when I was dismissed.

12 Q. I'm sorry, what was that?

13 A. The second one was during the time that I
14 was dismissed.

15 Q. During the time that you were dismissed,
16 okay.

17 A. Yeah.

18 Q. When you were hired by the Montgomery
19 Housing Authority, during your orientation
20 and filling out all the forms for a new
21 hire, did you get a copy of the employee
22 handbook?

23 A. Yes.

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1 Q. Do you still have the handbook?

2 A. Yes.

3 Q. Did you review it before your deposition
4 today?

5 A. No.

6 Q. Did you review any documents before your
7 deposition today?

8 A. Yes.

9 Q. And what were they?

10 A. The complaint that was filed and copies of
11 my response to your interrogatories and a
12 calendar that I had.

13 Q. What kind of calendar?

14 A. Just a calendar where I made a notation.

15 Q. Is that the calendar that you gave to me
16 as part of your responses?

17 A. Yes.

18 Q. It was a big calendar with just one month
19 on it?

20 A. Yes.

21 Q. You said that you received a copy of the
22 employee handbook and that you still had a
23 copy of it. Did you read it when you were

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1 given a copy of it?

2 A. Yes.

3 Q. Did you understand it?

4 A. Yes.

5 Q. Let me go back to when we were talking
6 about when you were a manager of Smiley
7 Court. Who did you report to at that
8 position? When you were a manager at
9 Smiley Court, do you remember who you
10 reported to?

11 A. I believe Ms. Marva Tatum was still the
12 area supervisor.

13 Q. And what about at Trenholm Court?

14 A. Charlie McCall.

15 Q. Charlie McCall?

16 A. Yes.

17 Q. Was he an area manager?

18 A. No, he was the director of housing
19 management.

20 Q. And what about at Patterson Court?

21 A. Ms. Sledge, Maxine Sledge.

22 Q. And do you remember her title at the time?

23 A. I believe it was director of housing

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1 management.

2 Q. Did you report to her the whole time that
3 you were the manager for Patterson Court?

4 A. I'm not sure. I don't think the whole
5 time, no.

6 Q. Was there somebody else that you remember
7 reporting to?

8 A. I can't recall if Mr. McCall was still
9 there or not; that's not why I'm sure.

10 Q. So did Ms. Sledge replace Mr. McCall?

11 A. Yes.

12 Q. So if you weren't reporting to Ms. Sledge,
13 it would have been Mr. McCall?

14 A. Yes.

15 Q. When did you first contact an attorney
16 about any claims against the Montgomery
17 Housing Authority? I'm not asking about
18 what you talked about with your attorney,
19 just was it before you were terminated or
20 after you were terminated?

21 A. Before I was terminated.

22 Q. Do you remember what prompted you to
23 contact an attorney?

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1 A. Probably the suspension she gave me.

2 Q. Ms. Sledge gave you?

3 A. Yes.

4 Q. So would it have been around the time of
5 the suspension?

6 A. I believe. I'm not sure, but probably so.

7 Q. And can you tell me just in your own words
8 why it is that you're suing the Montgomery
9 Housing Authority?

10 A. Because I feel that they have
11 discriminated against me because I'm black
12 as opposed to the white employees.

13 Q. And can you tell me why it is that you
14 believe you were discriminated against?

15 A. Because my workload was increased, and I
16 asked for assistance with it and I
17 received none, which created a hostile
18 environment for me. And the white
19 employees, when their workload was
20 increased and they asked for assistance or
21 for it to be reduced, they received what
22 they asked for; it was reduced or they
23 received assistance with it.

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1 Q. So you're saying white employees either
2 received an assistant or had their
3 workloads reduced if they asked for it?

4 A. Correct.

5 Q. Any other reason that you believe that you
6 were discriminated against?

7 A. No.

8 Q. So the way that you feel like you were
9 discriminated against was either by not
10 reducing your workload or not providing
11 you an assistant?

12 A. No. I feel that he was being --

13 Q. Who's "he"?

14 A. Mr. McInnish, Mickey McInnish, was
15 discriminating against me because he
16 treated me unfairly as opposed to the
17 white employees.

18 Q. And how did he treat -- that's what I'm
19 asking. Is it just because he didn't
20 reduce your workload or give you an
21 assistant, or was there some other way
22 that you feel like he treated you
23 unfairly?

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1 A. He created a hostile environment for me.

2 Q. How?

3 A. By having me with a heavy workload. And
4 if my work wasn't up to par or adequate, I
5 received write-ups from my supervisor and
6 my job was threatened.

7 Q. You got write-ups from Ms. Sledge?

8 A. Yes.

9 Q. And then what was the last thing you said?

10 A. My job was threatened.

11 Q. Was threatened?

12 A. Yes.

13 Q. And explain that to me. What do you mean
14 by that?

15 A. It's just that I was told that if I wasn't
16 -- if I couldn't produce, then I would be
17 dismissed.

18 Q. And who told you that?

19 A. Basically Ms. Sledge and Mr. McInnish.

20 Q. Do you remember a specific conversation?

21 The reason I'm asking is you said

22 basically it was those two. Do you

23 remember a specific conversation with

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1 either Ms. Sledge or Mr. McInnish, or is
2 it just through the write-ups that you
3 received?

4 A. Through conversations with basically both
5 of them.

6 Q. And they told you if you couldn't produce
7 that you'd be terminated or dismissed?

8 A. Ms. Sledge specifically told me that and
9 he basically said he told Ms. Sledge to
10 discipline anyone who could not perform
11 their job or dismiss them.

12 Q. So Mr. McInnish told Ms. Sledge to -- your
13 understanding is that Mr. McInnish told
14 Ms. Sledge to discipline or dismiss anyone
15 who could not perform their job?

16 A. Yes.

17 Q. Okay. Any other ways that you claim you
18 were discriminated against other than what
19 you've just told me?

20 A. I feel like the policy that they
21 implemented was more harsh towards me
22 because I was black.

23 Q. Now, which policy are you talking about?

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1 A. The dismissal policy, the reason I was
2 being dismissed was for wantonness and
3 gross negligence.

4 Q. Let me back up. How many housing
5 communities are at the Montgomery Housing
6 Authority?

7 A. I can't recall now. It may be -- maybe
8 nine.

9 Q. Do you remember, were you the only black
10 manager of a community?

11 A. No.

12 Q. If you can remember, how many black
13 managers were there and how many white
14 managers were there?

15 A. There was one white manager and all the
16 rest were black.

17 Q. One white manager?

18 A. Uh-huh.

19 Q. Do you remember who that was?

20 A. Diane Bishop.

21 Q. Do you remember which community she had?

22 A. Richardson Terrace.

23 Q. Richardson Terrace?

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1 A. Yes.

2 Q. I think you said that -- correct me if I'm
3 wrong -- when you were talking about the
4 policy that MHA implemented against you
5 was more harsh because you were black, are
6 you talking about their dismissal of you
7 -- are you saying that you believe that
8 they dismissed you -- tell me what you're
9 saying. I don't want to put words in your
10 mouth. I'm sorry. I don't mean to
11 confuse you either.

12 A. I'm saying that the policy that they used
13 to dismiss me is arbitrary and they could
14 not state a specific reason or act that I
15 did that was wantonness or gross
16 negligence. It was basically, I felt, at
17 their discretion.

18 Q. Okay. Do you know of any other black
19 managers that they did the same thing to?

20 A. I don't know specifics of it. I know
21 there was another manager who was no
22 longer there, but I don't know the
23 specifics. I don't know the details of

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1 her case.

2 Q. Was she gone by the time you got there?

3 A. No.

4 Q. You're just saying she's not there now?

5 A. Correct.

6 Q. Do you know her name?

7 A. Maggie Gardner.

8 Q. But you don't know any details about why
9 she's no longer working there?

10 A. No.

11 Q. Any other African-American employees that
12 you think that the Montgomery Housing
13 Authority treated more harshly?

14 A. In my opinion, I feel like all the black
15 managers, all the black employees totally.

16 Q. So is it your testimony that you think
17 Diane Bishop was the only one who wasn't
18 treated harshly? Because you said all the
19 black managers, and I was just trying to
20 figure out if you meant all the managers
21 of the communities that were
22 African-American.

23 A. Yes. Yes.

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1 Q. Why is it that you feel that way?

2 A. Because our workload was increased; we
3 were not given assistance when we asked
4 for it as opposed to the white employees;
5 the white manager had fewer units than any
6 of the other managers; the employees on
7 Bell Street -- the white employees on Bell
8 Street received assistance with their
9 workload.

10 Q. When you say on Bell Street, are you
11 talking about --

12 A. The main office.

13 Q. -- the main office? And which white
14 employees at the main office are you
15 talking about?

16 A. The ones that I can recall is Jill West,
17 Diane Smith -- Deanne Smith -- and Wendy
18 -- I can't recall Wendy's last name.

19 Q. But you're saying they received assistance
20 when they asked for it?

21 A. Yes.

22 Q. Were any of those three people that you
23 just named, were they managers of housing

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1 authority communities?

2 A. No.

3 Q. Do you remember what their jobs were?

4 A. Jill West was public relations; Deanne was
5 accounting; and Wendy was over Section 8.

6 Q. Section 8?

7 A. Uh-huh.

8 Q. And then talking about Diane Bishop, you
9 said that she had fewer units than any
10 other manager?

11 A. Yes.

12 Q. Do you know how many units she had?

13 A. I'm not certain. I would say maybe 75 to
14 90.

15 Q. And you said Richardson Terrace?

16 A. Yes.

17 Q. Would 100 be accurate if --

18 A. It may be.

19 Q. Okay. What kind of help did Ms. Bishop
20 have, if you know?

21 A. I can't recall. I can't recall exactly.

22 Q. And then the other managers besides Ms.

23 Bishop, do you know if any of them had

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1 Q. Okay. Has anyone ever told you that they
2 believe you were discriminated against?

3 A. What do you mean?

4 Q. Have any other employees at the Montgomery
5 Housing Authority ever said, Ms. Manzy, we
6 think you were discriminated against on
7 the basis of your race?

8 A. No.

9 Q. When you were terminated, did they say,
10 we're terminating you because of your
11 race?

12 A. Of course not, no.

13 Q. We've talked about Ms. Sledge and
14 Mr. McInnish. Are they the people that
15 you think at the Montgomery Housing
16 Authority discriminated against you, or is
17 it just one of them or both of them or --

18 A. Just one.

19 Q. And which one is that?

20 A. Mr. McInnish.

21 Q. So it's your testimony that you do not
22 think Ms. Sledge discriminated against
23 you; is that right?

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1 A. I'll say yes.

2 Q. And I think I asked a bad question, but
3 you're saying yes, she discriminated
4 against you or no, she did not?

5 A. No, she did not.

6 Q. Okay. And what is it exactly that
7 Mr. McInnish did that you think is
8 discrimination?

9 A. As I stated earlier, he treated me
10 unfairly as to my workload than he did the
11 white employees and their workload.

12 Q. So it was his decision to make about
13 workload and providing an assistant?

14 A. Yes.

15 Q. Okay. I understand now. Was it his
16 decision to terminate you?

17 A. He signed the papers, yes.

18 Q. Anybody else at the housing authority that
19 you think may have discriminated against
20 you besides Mr. McInnish?

21 A. No.

22 Q. Did you ever -- and I think I know what
23 the answer may be, but did you ever

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1 A. Mr. McInnish.

2 Q. And then when did you make that complaint?

3 A. I can't remember the exact date. I can't
4 remember exact date.

5 Q. Would it have been around the time of the
6 termination or the suspension?

7 A. Prior to.

8 Q. Prior to?

9 A. It was prior to the termination and
10 suspension.

11 Q. And do you remember about how long before?
12 Was it weeks or months or --

13 A. Probably a couple of months before.

14 Q. Was that something that you did in
15 writing, or did you just talk to him on
16 the phone or in person?

17 A. I did it in writing.

18 Q. Just prepared a memo --

19 A. Yes.

20 Q. -- or sent an e-mail or -- do you remember
21 what your complaint was or how you said it
22 to him or what you put in the memo?

23 A. It was in regards to a memo that Ms. -- a

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1 write-up I think Ms. Sledge had done. And
2 I believe I answered that and in that memo
3 I asked for help and I stated that I was
4 receiving a grave injustice as opposed to
5 the other employees at the housing
6 authority.

7 Q. So Ms. Sledge had given you a write-up and
8 you were responding to that write-up?

9 A. Uh-huh.

10 Q. Any other time that you can remember
11 complaining to anybody that you were being
12 discriminated against because of your
13 race?

14 A. No.

15 Q. While you were working for the housing
16 authority as a manager, did you ever try
17 to find another job somewhere?

18 A. Yes.

19 Q. Do you remember about when that would have
20 been?

21 A. I can't recall. It was just at various
22 times.

23 Q. And why is it that you were looking for a

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1 uncomfortable at the housing authority?

2 A. Yes.

3 Q. When you were looking for a position
4 because you felt uncomfortable, do you
5 remember the time frame of that or about
6 when that happened?

7 A. Probably during the time when I was
8 feeling discriminated against when he
9 increased our workload.

10 Q. Is there a date that you remember that
11 your workload was increased? Would it
12 have been when your assistant manager was
13 laid off?

14 A. Yes.

15 Q. Before the assistant manager was laid off,
16 did you have any complaints about your
17 workload then, or were you fine with it
18 then?

19 A. It was still excessive, but it was -- I
20 had -- I was fine with it.

21 Q. It was manageable?

22 A. It was manageable.

23 Q. So after the assistant manager was laid

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1 off, is that when you started feeling
2 uncomfortable in your job?

3 A. Yes.

4 Q. And then was it during that time period
5 that you remember looking for another
6 position?

7 A. Yes.

8 Q. Do you remember where you were looking for
9 another job?

10 A. No.

11 Q. Or what kind of position?

12 A. I just wanted to get out of there.

13 Q. Okay. A few minutes ago we were talking
14 about that you thought Ms. Pickett at
15 Riverside may have had an assistant
16 manager and maybe one of the other units.
17 Did their assistant managers get laid off
18 when yours did?

19 A. Yes. Well --

20 Q. If you remember.

21 A. I can't remember. I'm thinking they got
22 laid off but they brought them back or
23 something.

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1 Q. Do you remember if they brought back the
2 same ones or they rehired assistant
3 managers?

4 A. They were different people.

5 Q. Okay. Did you ever start taking any notes
6 or keeping a diary about your work
7 conditions at the housing authority?

8 A. Yes, somewhat.

9 Q. What do you mean, "somewhat"?

10 A. I mean I made notations of certain
11 incidents, but it wasn't like on a daily
12 basis.

13 Q. Where did you keep these notations?

14 A. Just on paper.

15 Q. Do you still have them?

16 A. I think everything I have I've given to
17 you.

18 Q. Because I know you mentioned a calendar
19 that you made some notes on.

20 A. That calendar that you have, the notation
21 on that calendar.

22 Q. So are there any others that you have that
23 you have not given to me?

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1 Other than what we've talked about, is
2 there anything else that you can think of
3 that was designed to harass, humiliate, or
4 frustrate you?

5 A. One thing, Ms. Sledge, my supervisor, was
6 constantly calling the office --

7 Q. Calling your office?

8 A. Yes.

9 Q. And what kind of phone calls?

10 A. Sometimes they were very upsetting, about,
11 you know, firing me.

12 Q. She was threatening to fire you or
13 something?

14 A. Yes. Then she was constantly interrupting
15 the work that I was doing by adding on
16 other duties and still wanting the current
17 work done.

18 Q. Anything else that you can think of?

19 A. I can't think of anything right now.

20 Q. When you say constantly calling your
21 office, did she call you every five
22 minutes or did she call you every day
23 or --

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1 A. Every day, all through the day.

2 Q. Several times a day?

3 A. Several times a day.

4 Q. Was she calling the other managers too or
5 just you?

6 A. I'm not sure.

7 Q. Do you think that the only reason she was
8 calling your office was because you're
9 black, or was she just trying to -- or
10 what was the reason?

11 A. I feel like she was trying to put pressure
12 on me.

13 Q. What kind of pressure?

14 A. Work pressure.

15 Q. Just to increase your workload or to get
16 you to --

17 A. To increase my workload or to intimidate
18 me, to frustrate me, to harass me.

19 Q. And earlier you said you didn't think Ms.
20 Sledge had discriminated against you; is
21 that right? So I'm just trying to figure
22 out -- when you say she was constantly
23 calling your office, are you saying that

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1 she did that just because you're black?

2 A. I'm saying she was doing it to --
3 basically to harass me by increasing my
4 workload.

5 Q. Do you think she didn't like you?

6 A. Yes, she probably didn't.

7 Q. Probably did not like you?

8 A. No.

9 Q. Just so I'm clear on this, in your
10 complaint you said that white employees
11 who were similarly situated were given
12 assistance and were allowed greater
13 latitude in determining their workloads
14 and received the same or higher pay.
15 Which white employees are you talking
16 about there? Because there was one white
17 manager; right?

18 A. There was one white manager.

19 Q. And tell me her name again.

20 A. Diane Bishop.

21 Q. And is she one of the ones that you're
22 talking about in the complaint about given
23 greater assistance?

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1 A. Well, yes, or latitude in her work.

2 Q. And how do you know she was given greater
3 latitude in her work?

4 A. One thing, she had less units.

5 Q. Okay. Any other way?

6 A. Her complex probably wasn't as complicated
7 as mine was.

8 Q. Any other ways you can think of?

9 A. No.

10 Q. And were there any other white managers or
11 housing community managers that you think
12 were treated differently?

13 A. She was the only white one -- white
14 manager.

15 Q. So now moving from those managers to other
16 white employees that you think were
17 similarly situated, who would they be?
18 Well, I don't want you to have to repeat.
19 You said Jill West --

20 A. Kerry Revell.

21 Q. Kerry Revell?

22 A. Uh-huh.

23 Q. And who was she?

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1 Richardson Terrace.

2 Q. Was she supposed to provide you any kind
3 of assistance?

4 A. That's what they said, yes.

5 Q. That's what who said?

6 A. Ms. Sledge and Mr. McInnish.

7 Q. But I take it from your answer -- are you
8 saying she did not provide you any
9 assistance?

10 A. No, not very much.

11 Q. Do you know what she was supposed to do?

12 A. They basically said anything that we
13 needed them to do in the office.

14 Q. So was she supposed to act sort of like an
15 assistant manager?

16 A. They never made that quite clear.

17 Q. Okay. But just -- you said anything that
18 you needed in the office --

19 A. They never were specific on it.

20 Q. So they weren't specific about the precise
21 duties but just said, go help Ms. Manzy
22 any way she needs?

23 A. Uh-huh.

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1 whole time you were there or part of the
2 time?

3 A. No.

4 Q. Was she hired after the assistant director
5 -- or assistant manager was laid off?

6 A. After they were laid off.

7 Q. And it was Ms. Revell's job to help you at
8 Patterson Court and then to help the
9 manager at Richardson Terrace also?

10 A. Yes.

11 Q. Was there an assistant manager at
12 Richardson Terrace at this time?

13 A. I'm not sure. I don't know. I don't
14 know.

15 Q. Do you remember who the manager was?

16 A. Diane Bishop.

17 Q. Oh, okay. And that's the white employee
18 that we talked about?

19 A. Yes.

20 Q. But you're not sure if she had an
21 assistant manager?

22 A. I can't remember.

23 Q. Anything else you can remember that Ms.

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1 Revell did to help you?

2 A. That was basically it. When I asked for
3 additional help, she said that she had her
4 own work to do.

5 Q. And her name came up when I asked you if
6 there were any similarly situated white
7 employees who got help when they needed
8 it. Did she ever -- are you just saying
9 that her workload was lighter or she had
10 somebody helping her?

11 A. She was responsible for two complexes.
12 She complained to Mr. McInnish on October
13 14th in 2003 that she felt that her
14 workload was too heavy; she needed it
15 reduced; she had done the best she can,
16 but now she feel exhausted; and she wanted
17 to know could she just work one community.
18 And he told her consider it done.

19 Q. That was October of 2003?

20 A. Yes.

21 Q. So did she then stop working for Patterson
22 Court or Richardson Terrace or what
23 happened?

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1 A. She started working just in Patterson
2 Court.

3 Q. Any other way that you think she was
4 treated differently than you were other
5 than what you just told me?

6 A. Her workload was reduced.

7 Q. Well, you said that she requested that one
8 of the communities be taken away from her?

9 A. Yes.

10 Q. So when you say her workload was reduced,
11 you're talking about that or some other
12 way?

13 A. That, her workload was reduced.

14 Q. Okay. Anything else that you can think of
15 with respect to Ms. Revell?

16 A. Not at the moment.

17 Q. Okay. We've talked about Diane Bishop and
18 Ms. Revell. Any other white employees
19 that you think were treated differently
20 than you?

21 A. Deanne Smith.

22 Q. And she's one of the ladies that you
23 mentioned before?

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1 A. Uh-huh.

2 Q. What was her position?

3 A. It was pertaining to accounting. I don't
4 know her official title.

5 Q. And how do you think she was treated
6 differently?

7 A. She complained about her workload and she
8 was given someone to help her with it.

9 Q. Let me back up a second. With Ms. Revell,
10 how do you know she asked Mr. McInnish for
11 help?

12 A. I heard the conversation.

13 Q. So you were present?

14 A. Yes..

15 Q. Where did it take place?

16 A. In Patterson Court.

17 Q. Was anyone else there besides you,
18 Mr. McInnish, and Ms. Revell?

19 A. No, he wasn't present in the office.

20 Q. It was a telephone conversation?

21 A. Yes.

22 Q. What happened with Richardson Terrace?
23 Did they get a new community worker?

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1 A. Yes. He assigned it to somebody else, a
2 black guy.

3 Q. You don't know his name?

4 A. I think his name is Tony. I can't think
5 of his last name.

6 Q. But as far as you know, Ms. Revell went
7 from being the community worker for
8 Patterson Court and Richardson Terrace to
9 Patterson Court only?

10 A. Yes.

11 Q. And then somebody named Tony became the
12 community worker for Richardson Terrace?

13 A. Yes.

14 Q. Okay. Now with Deanne Smith, how do you
15 know that she complained and was given
16 help?

17 A. Well, she -- we received a memo saying
18 that a new person -- I can't think of her
19 name -- would be assisting Deanne.

20 Q. So it's just like a memo that said,
21 welcome this new employee or something?

22 A. No. He was changing something else, and
23 somewhere in the body of it, it said,

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1 such-and-such will now be assisting Deanne
2 in accounting so we can call her too
3 instead of calling Deanne all the time.

4 Q. All right. And do you have any
5 information about what kind of workload
6 Ms. Smith had before she got help?

7 A. She was handling the accounts for the
8 communities.

9 Q. Have you ever worked with Ms. Smith like
10 in the office or anything?

11 A. No.

12 Q. Do you know what she had to do on a daily
13 basis or how much work she had to do on a
14 daily basis?

15 A. Not exactly.

16 Q. And then I think you said earlier Jill
17 West?

18 A. Yes.

19 Q. What do you know about her workload and
20 stuff like that?

21 A. From what I can see that she was doing,
22 only thing I saw her doing was putting out
23 a quarterly newsletter.

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1 Q. And she was the one that you said was in
2 PR?

3 A. Yes.

4 Q. And then there came a time when she
5 requested some help of some sort?

6 A. Yes.

7 Q. And how did she request that help?

8 A. Mr. McInnish asked the board in a board
9 meeting for her some help, that her
10 workload had increased and she needed some
11 help.

12 Q. Were you at the board meeting?

13 A. Yes.

14 Q. Do you remember the date of it?

15 A. I think I gave you a copy of it. I can't
16 recall the date, but I gave you a copy of
17 it. It was an agenda.

18 Q. I'm sorry, what?

19 A. An agenda.

20 Q. Oh, agenda, okay. With Deanne Smith, do
21 you know how it came about that she got
22 this extra help? Did she ask for it or --

23 A. I'm not quite sure. I just know the memo

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1 came out.

2 Q. And then with Ms. West, you said that you
3 knew she put out a quarterly newsletter,
4 but do you have any knowledge about what
5 her -- other than that, what her duties
6 are in her job?

7 A. I know she was to speak to the media
8 whenever there was a need, which wasn't
9 very often.

10 Q. Have you ever worked in the PR department
11 at the housing authority?

12 A. No.

13 Q. Then earlier you said the name of somebody
14 -- you couldn't remember her name, but she
15 worked in Section 8 housing.

16 A. Wendy.

17 Q. Wendy, okay. What do you know about what
18 her daily duties were, her job duties?

19 A. I know she was responsible for the Section
20 8 office, taking applications, verifying
21 incomes.

22 Q. Did there come a time when she received an
23 assistant or somebody to help her?

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1 A. Yeah, she had a staff, but it's my
2 understanding that he gave her latitude as
3 to coming in to work late so she could be
4 with her family.

5 Q. When you say "he," you're talking about
6 Mr. McInnish?

7 A. Mr. McInnish.

8 Q. So you think she was treated differently
9 because she got to come in work late?

10 A. Work half a day.

11 Q. Oh, she worked half days?

12 A. Uh-huh.

13 Q. Do you know anything about how she got
14 paid?

15 A. It's my understanding she received full
16 pay.

17 Q. And how did you come to that
18 understanding? How did you get that
19 information?

20 A. A conversation I had with Ms. Sledge.

21 Q. Did you ask Ms. Sledge about it or what
22 happened? What was that conversation
23 about?

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1 A. I think it generated from when we were
2 talking about me taking time off to take
3 the bar. And she told me about Wendy
4 coming in or it may be allowed -- or I
5 could work half days because Wendy was
6 allowed to come in half a day.

7 Q. And Ms. Sledge said that she gets paid her
8 full salary even though she works half a
9 day?

10 A. That was the impression I got from Ms.
11 Sledge.

12 Q. And this was during a time when you were
13 going to try to take some time off to
14 study for the bar?

15 A. Yes.

16 Q. Do you remember when that was?

17 A. It may have been like -- may have been May
18 or something of '04.

19 Q. Did you end up taking any time off to
20 study for the bar or how did that work
21 out?

22 A. I -- yes, I'm sure I was -- I did take
23 some time off.

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1 Q. Do you remember how much time?

2 A. About three weeks.

3 Q. Did you get paid for the three weeks?

4 A. I had to use my annual leave.

5 Q. And did you have a full three weeks of
6 annual leave, or did there end up being
7 some days that you didn't get paid for or
8 --

9 A. No.

10 Q. So you got paid for the full three weeks
11 by using your annual leave?

12 A. Yes.

13 Q. Okay. So we've talked about Ms. Bishop,
14 Ms. Revell, Ms. Smith, Jill West, and the
15 employee named Wendy. Are there any other
16 employees that you can -- white employees
17 that you think were treated differently
18 than you?

19 A. No.

20 Q. And of those people that I just named, Ms.
21 Bishop was the only one that was a housing
22 manager; correct?

23 A. Yes.

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1 Q. You've never worked as a community worker
2 for the housing authority; is that right?

3 A. No.

4 Q. And you've never worked in accounting?

5 A. No.

6 Q. And never worked in PR?

7 A. No.

8 Q. And never worked in Section 8?

9 A. No. Well, for a short period of time I
10 worked in Section 8, but that was -- that
11 was a long time ago.

12 Q. Was that when you first started?

13 A. When I first started.

14 Q. What did you do when you worked in Section
15 8 at that time?

16 A. I think I took applications and filed.

17 Q. Are there any other black employees that
18 you think were treated the same as you
19 were?

20 A. Yes, all the managers.

21 Q. So we've talked about the managers. And I
22 think earlier you said it's because they
23 didn't have assistant managers and their

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1 workload was high; is that right?

2 A. Yes.

3 Q. Okay. So other than those two ways, are
4 there any other ways you can think of that
5 they were treated differently?

6 A. No.

7 Q. But some of those managers did have
8 assistant managers though; right?

9 A. Yes.

10 Q. And that was at least the one that was at
11 -- where did you tell me?

12 A. Riverside.

13 Q. Riverside. And then were there others?

14 A. I believe there were, but I can't recall
15 the communities.

16 Q. So other than the managers, anybody else
17 that you can think of that would have been
18 treated similarly to the way you were
19 treated?

20 A. I believe basically all the black
21 employees.

22 Q. And why do you think that?

23 A. It's just that most of the whites were in

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1 higher positions.

2 Q. Any other reason?

3 A. Most of the white employees were hostile
4 toward the black employees.

5 Q. I'm sorry, what, now?

6 A. They were hostile.

7 Q. White employees were hostile against black
8 employees?

9 A. Yes.

10 Q. And how do you mean?

11 A. It just wasn't friendly, some of them.
12 They spoke to you in harsh tones.

13 Q. Who are these people?

14 A. I can't recall all of them.

15 Q. Can you recall any of them?

16 A. Rudy Martinez.

17 Q. Rudy Martinez?

18 A. Yeah. I can't think of the lady in
19 accounting. Lane Boggs.

20 Q. Lane Boggs? Are these people who spoke
21 harshly to you?

22 A. At times. Just overall that's how they
23 treated the other blacks as well.

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1 Q. Were you ever present when you witnessed a
2 white employee being hostile to a black
3 employee?

4 A. I'm speaking in terms of at meetings.

5 Q. Like staff meetings and stuff, or --

6 A. Uh-huh.

7 Q. Can you give me an example of some time,
8 if you remember?

9 A. I recall when we were changing over to the
10 new retirement system and some of us were
11 trying to talk to Rudy, he like snapped at
12 us in a harsh tone. But I can't remember
13 any of the other specifics.

14 Q. Is there anybody who would have witnessed
15 the way you were treated or any
16 discriminatory conduct toward you?

17 A. What exactly do you mean?

18 Q. Was anybody ever present when you were --
19 when somebody was being hostile to you or
20 when somebody told you you couldn't have
21 an assistant or -- I mean, was there
22 anybody who has seen or heard your version
23 of the story, I guess?

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1 they were for; is that right?

2 A. No.

3 Q. Okay. Do you remember receiving a
4 write-up about -- after a resident
5 complained that they didn't receive
6 adequate notice of a rent increase?

7 A. Okay.

8 Q. Does that ring a bell?

9 A. Uh-huh.

10 Q. Do you think that's the first one that you
11 received?

12 A. It may have been. I can't remember. I
13 know she did like two or three of them.

14 Q. Well, for now we'll call it the first one,
15 and if we come across an earlier one,
16 we'll change. Tell me what you remember
17 about that write-up.

18 A. I just remember her saying that --

19 Q. Talking about Ms. Sledge?

20 A. Ms. Sledge, uh-huh, saying that the lady
21 complained that she didn't get her notice
22 in time.

23 Q. The resident complained?

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1 A. The resident didn't get her notice in time
2 and she was complaining about having to
3 pay her rent.

4 Q. The resident was complaining?

5 A. Yes. But I believe in that incident I may
6 have been on leave. We didn't have
7 anybody to take our mail, to come and pick
8 up the mail, and I think when it did get
9 to accounting, Deanne still had time to
10 post it to the tenant account and she
11 didn't post it, but I got blamed for it.

12 Q. Okay. Well, give me one second. Let me
13 just look at these pages for a second.
14 Okay. I'm going to mark this --

15 MS. ROGERS: Mr. Hurst, unless
16 you -- I'm going to mark
17 this as a collective
18 exhibit. It's four pages
19 that I have.

20 MR. HURST: It's from the
21 termination hearing?

22 MS. ROGERS: Right. It's from
23 behind Tab Number 1.

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1 Q. -- should have been mailed? Is that what
2 you're saying?

3 A. Uh-huh. And the rent change to go to
4 accounting, I know I had that ready. I
5 know I had the rent change ready to go to
6 accounting.

7 Q. Is the rent change a form?

8 A. It's a form we send over to have a rent
9 changed from the tenant statement.

10 Q. So you fill that out and you send it to
11 accounting?

12 A. It was in the tray -- in my tray in the
13 office to go to accounting. Ms. Sledge
14 didn't send anybody to pick the mail up
15 while I was on leave. When I got back, I
16 sent it, and it still got to Deanne in
17 time in accounting to be posted to this
18 lady's account so that she would know
19 about her rent.

20 Q. Just so we're clear for the record, is it
21 the case that residents are supposed to be
22 notified of rent changes so many days in
23 advance?

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1 A. Yes, uh-huh.

2 Q. Do you remember the days?

3 A. I guess maybe 30 days in advance. But it
4 doesn't always work that way because you
5 have to wait for information to come in.
6 Very, very seldom it works that way.

7 Q. So what you're saying is that you sent it
8 to accounting in time for it to be posted
9 --

10 A. To her rent receipt.

11 Q. Are you saying that you sent it to
12 accounting in time for it to be posted so
13 that she would have been notified in the
14 right number of days? Is that --

15 A. Well, yes. It would have been on her
16 account for the first of that month.

17 Q. And then what happens after you send the
18 rent change form to accounting?

19 A. The rent gets posted on the account.

20 Q. Is that something that just gets posted on
21 the computer or something?

22 A. And a notice gets sent to the tenant --
23 well, on their rent receipt.

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1 notice that goes with this envelope. She
2 received this 2002? January 10, 2002?
3 That couldn't be right. I'm not familiar
4 with that.

5 Q. Let me just see it real quick. Well, what
6 was your understanding of what Ms. Price
7 told -- of her complaint to Ms. Sledge?

8 A. It's my understanding that she went in
9 there maybe the month that her rent was
10 due, around the first or something, and
11 saying that she didn't get notice, I
12 guess, that her rent was going to be due
13 on December the 1st.

14 Q. Is it your memory that by the time she
15 went in to talk to -- she owed two month's
16 rent already?

17 A. No. I'm thinking she just owed the
18 current month's rent, December rent or
19 whatever it was. It wasn't like two
20 months. I don't recall that.

21 Q. Well, if Ms. Price -- if the resident said
22 that it was two months, would you have any
23 reason to dispute that?

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1 A. Yes. I don't think it was two months. I
2 -- I don't know. I know it got to Deanne
3 in time to be posted to her receipt where
4 she would have known, and had she not been
5 able to pay it at that time, we could have
6 made arrangements with her. I don't
7 recall it being two months.

8 Q. Well, if the notice of rent adjustment was
9 dated November the 25th, 2003 --

10 A. I don't know what that is. That -- I
11 mean, they could have --

12 Q. Well, you signed it.

13 A. I signed it, but I don't know if this goes
14 along with this envelope in here.

15 Q. Well, if the notice of rent adjustment
16 form was completed by you on November 25,
17 2003, when should it have been mailed to
18 the tenant?

19 A. On that date when I completed it. I don't
20 know what this is. I do know that once I
21 was terminated and suspended, Ms. Sledge
22 and other people went through my office
23 and through files, and so I'm just not

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1 sure of anything that they put together or
2 they put before you all.

3 Q. I understand what you're saying, but what
4 I'm asking is, if that form is dated
5 November 25, 2003, you would have mailed
6 it that day?

7 A. During that time, yes.

8 Q. During that time? Is there a time that it
9 needs to be mailed by?

10 A. Yeah, they're supposed to get a notice
11 prior -- I think at least a month notice
12 prior to that.

13 Q. If there's a rent change, they're supposed
14 to get a month's notice?

15 A. Uh-huh. But that's not always the case.
16 I don't have her folder before me. It
17 depended on when I computed her rent, you
18 know, when I got everything back to
19 complete her rent. Sometimes we just go
20 on and back date them.

21 Q. Well, if Ms. Price complained, would you
22 have any reason to think that she wasn't
23 telling the truth?

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1 A. I don't think she was telling the truth
2 about two month's rent. I really don't
3 recall that. And then these envelopes
4 that Ms. Sledge has here that she received
5 back in '02, I'm not sure of that at all.
6 I don't know where this envelope come
7 from.

8 Q. Well, the postmark that's on the envelope,
9 that wouldn't be incorrect, would it?

10 A. No.

11 Q. And do you remember if Ms. Sledge ever
12 counseled you about this incident, this
13 resident's complaint?

14 A. I'm thinking that may have been one of the
15 write-ups or something.

16 Q. Page 3 of this exhibit is an employee
17 counseling record, and in the attachment
18 to that, it describes the complaint by Ms.
19 Price. So do you admit that Ms. Sledge
20 did counsel you on that, about the
21 complaint?

22 A. If this is the write-up, yes. But then
23 where is my response? I responded to her

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1 and I told her -- gave her the reason as
2 to why. It all stated back to my workload
3 being too heavy.

4 Q. Right.

5 A. And during the time when I was working on
6 that folder, I was in on a weekend, on a
7 Saturday, trying to get these rents out in
8 time. But this is just all that I had a
9 heavy workload and I couldn't get
10 everything out in a timely manner.

11 Q. Okay. So you're saying that the reason
12 that the envelope would have been mailed
13 late is just because you had an excessive
14 workload? Or the reason that the notice
15 would have been mailed late?

16 A. Yes.

17 Q. Okay. But you do remember that this was
18 something you were written up for?

19 A. Yes. This is the employee counseling
20 record, yes.

21 Q. And you're not denying that it was mailed
22 late, are you, that Ms. Price's rent
23 change form was mailed late? Because I

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1 think you said it had to do with your
2 workload.

3 A. Yes, it had to do with my workload, and I
4 was in that day working on -- that
5 Saturday working on these folders prior to
6 me taking leave. But still Ms. Price
7 could have known what her rent was had
8 Deanne posted the correct amount to her
9 receipt, which Deanne had that in her
10 office. So that goes back to where I feel
11 that I'm being discriminated against
12 because whereas the white employees made a
13 mistake, they were not penalized, but when
14 me as a black employee made a mistake, I
15 got wrote up for it.

16 Q. Well, if Deanne posted it, what would have
17 happened?

18 A. Ms. Price would have known what her rent
19 was on December the 1st.

20 Q. And is that because a form goes out from
21 Deanne to the resident or --

22 A. It goes out on her rent statement.

23 Q. So they get a rent statement every month?

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1 her a 30-day notice. So I computed her
2 rent when I had all the income
3 verification in. Those things I can't
4 control. I could not control that. You
5 send out the employee verification; the
6 employer may keep it for a while, you
7 know, and then you do follow-up.

8 Q. But you did have control over what date
9 this form was mailed; right?

10 A. Not if I couldn't compute the rent. I
11 computed the rent on that date.

12 Q. Well, the rent's filled in on this form.
13 It says \$84 a month and then for a total
14 of \$96 a month.

15 A. Apparently that was her rent.

16 Q. So this form should have -- I think I
17 understood you said this form should have
18 been mailed around November 25, 2003, to
19 the tenant?

20 A. In order for her to get 30 days notice, it
21 probably should have been mailed on
22 November the 1st, but I didn't have all
23 her income verification, so I couldn't do

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1 her rent.

2 Q. Well, then how did you come up with the
3 numbers that are in here?

4 A. After I computed the rent on this date,
5 this was the date her rent goes into
6 effect. So that was on the form, so I
7 knew it goes into effect on December the
8 1st. After I computed her rent, that told
9 me how much her rent would be. But
10 according to the regulations, they're
11 going to get 30 days notice. This should
12 have gone out then, but I didn't have
13 proof of her income to compute it.

14 Q. But what was the reason it didn't go out
15 until January of 2004?

16 A. Because of my workload. I had such a
17 heavy workload, I basically just
18 overlooked it. And once I discovered it,
19 I still mailed it to her. But had I known
20 it was going to be held against me -- you
21 know, I still felt that she needed notice
22 of her rent, so I sent it out to her, but
23 I'm saying also she would have had notice

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1 it's all going to be part of Defendants'
2 Exhibit 4.

3 A. Okay.

4 Q. Tell me what you remember about the tenant
5 who called in about the water damage.

6 A. Okay. I recall that happening -- I think
7 I had just gotten back from leave again,
8 and that happened the night before I got
9 there, got to work. The maintenance had
10 gone and cleared out all the water. The
11 tenant called me maybe about 10 o'clock or
12 9:30.

13 Q. Is that the morning that you returned from
14 leave?

15 A. The morning I returned to work. During
16 that time, we was preparing for an audit
17 with HUD, and we were transferring over to
18 new units on the computer, Visual Home.
19 Okay. I had notices that we had to have
20 the files in order for HUD inspection and
21 we had to check all our folders for the
22 Visual Home inspection.

23 Q. What is the Visual Home inspection?

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1 A. That was the new computer system, I'm
2 sorry, a new computer system that they
3 were transferring over to. And we had to
4 go in and check all the tenant data, and
5 we had to pull the file and verify about
6 what they gave us, what the housing
7 authority gave us, and key it into the
8 computer. That had to be done almost like
9 right away. That was like top priority,
10 along with checking the folders for HUD,
11 for the HUD inspection. When this lady
12 called and told me about her damage, the
13 maintenance man had already came in and
14 briefed me on it, told me that they had
15 taken care of all the water or whatever.
16 She called about her damages. I said
17 okay, I'll be up in a second; hold on to
18 everything, and I'll come up and look at
19 it. Then I think I got a fax from Ms.
20 Sledge saying to do something differently;
21 she needs it like now, you know --

22 Q. You mean do something different for that
23 inspection or --

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1 A. For HUD.

2 Q. For the inspection or a different task
3 altogether?

4 A. For HUD, a different task.

5 Q. Okay.

6 A. Okay. When I got ready, after I finished
7 doing what Ms. Sledge asked me do, I was
8 headed out of my door, and the tenant came
9 in. And I told her, well, I'm headed up
10 to your house now to inspect your damages.
11 She said, well, that's okay, I've thrown
12 them away. And she knew not to throw them
13 away because I told her. And this tenant
14 was -- her personality was the kind that
15 she was always going to try to get more if
16 she could, you know. I think a couple of
17 times it was something about a check and
18 she wanted more of that, so I somewhat
19 knew her personality. So I felt like she
20 disposed of the damages on purpose. I
21 think she took her own pictures, and I
22 didn't get a chance to view the damages
23 because she disposed of them. But the

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1 Q. And then what is the date of the claim on
2 there?

3 A. She has on here 6/18/04.

4 Q. Is "she" the resident?

5 A. I guess the resident, uh-huh. I think she
6 filled it out.

7 Q. And then do you remember when you actually
8 inspected the property?

9 A. I don't think I got an opportunity to
10 inspect it because she had disposed of her
11 damages. Let me see.

12 Q. Is that your handwriting there on the
13 second page of this?

14 A. Yes.

15 Q. And then this on the first page is the
16 resident's handwriting?

17 A. Yes. So that's why I didn't get a chance
18 to go up to inspect them, because --

19 Q. Well, you signed it on July the 12th,
20 2004?

21 A. Uh-huh.

22 Q. So is that the date that you -- did you
23 ever inspect it, or did you inspect it on

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1 the 12th?

2 A. I didn't have anything to inspect. And
3 they never gave us a time frame as to when
4 to turn in a claim form. They never --

5 Q. "They" being the Montgomery Housing
6 Authority?

7 A. The Montgomery Housing Authority. And
8 from all that time up until I signed it, I
9 was busy with their project, the
10 inspection -- not the inspection, the HUD
11 review and the Visual Home.

12 Q. Okay. So I'm not sure I got an answer.
13 Did you ever inspect the apartment, or you
14 did not inspect the apartment for water
15 damage?

16 A. I was supposed to inspect the damages,
17 these things that she listed, and she
18 didn't have any to inspect. And she
19 brought me the pictures of them.

20 Q. When did you learn that she didn't have
21 anything to inspect?

22 A. The same day when she called my office.

23 Q. To say that there had been water damage?

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1 A. Uh-huh.

2 Q. And she brought pictures in?

3 A. Uh-huh.

4 Q. So she had gotten pictures made that
5 morning or something?

6 A. She took them herself, and when I was
7 getting ready to go up there again, they
8 sent somebody over to train me on the
9 computer. When I say "they," I mean the
10 housing authority. So I didn't get a
11 chance to go to her house at all. And I'm
12 thinking from that time on I was having
13 training done and checking the folders for
14 the HUD audit.

15 Q. When did you learn that y'all had to check
16 the folders for the HUD audit?

17 A. They had told us maybe a month before. I
18 can't remember exactly.

19 Q. And do you remember, on the day this claim
20 happened or the day that the resident
21 called you about the water damage, do you
22 remember how far -- was the HUD audit
23 about to happen the next day or something

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1 asked to put it off. But I provided you
2 with a fax of that.

3 Q. And do you remember Ms. Sledge -- do you
4 remember signing this employee counseling
5 form? Let me make sure I have all the
6 attachments to it. Well, do you remember
7 Ms. Sledge counseling you about the water
8 damage incident?

9 A. Yeah.

10 Q. And I'm a little confused about what you
11 said happened, but is it the case that the
12 resident complained on June 18th about the
13 water damage, but then you didn't get a
14 chance to follow up with it until July 12,
15 2004? Is that what happened?

16 A. Well, I didn't get a chance to --

17 Q. I'm just going on the dates on the form.

18 A. I didn't get a chance to complete the form
19 until then because of the pressure I was
20 under to complete the audit for HUD and
21 for Visual Home. It was like around the
22 clock. And they never told us that we had
23 one day, 10 days, 20 days to get a claim

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1 form in. There was never a time limit on
2 it as to, I have X number of days to get
3 this claim form in. So I concentrated on
4 the things that was most pressing, the
5 pressure I was receiving from them to get
6 the HUD audit done and the Visual Home
7 completed.

8 Q. And then around this same time, did Ms.
9 Sledge counsel you about completing the
10 re-examination?

11 A. Okay. I believe so.

12 Q. Does that sound right?

13 A. Uh-huh.

14 Q. What is that, the re-examination?

15 A. Just computing the tenants' rent, just
16 calculating their rents based upon the
17 income verification that you have.

18 Q. Is that something you had to do with all
19 of your tenants?

20 A. Yes, but -- you have to do so many
21 monthly, yes.

22 Q. Do you just do so many a month, or does it
23 depend on their anniversary date, or how

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1 does --

2 A. Their anniversary date.

3 Q. Okay. And what happened with that
4 re-examination that caused you to have a
5 write-up?

6 A. That was during the same time the Visual
7 Home and HUD audit were going on. When I
8 got ready to compute the rent, I ended up
9 having to go to court. I found out about
10 the court date maybe a day before.

11 Q. What court date are you talking about?

12 A. I had an eviction or something that I had
13 to go to district court for.

14 Q. Did that have to do with the housing
15 authority?

16 A. Yes.

17 Q. So y'all were evicting a tenant or
18 something?

19 A. Yes. So I went to court. When I got back
20 from court, it was just a few rents that
21 needed computing. I was getting ready to
22 do those. They sent over a lady to train
23 me again on the computer for Visual Home.

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1 She stayed there way past four o'clock
2 training me on the computer for Visual
3 Home. My intention was to compute those
4 rents -- because it wasn't going to take
5 any time to compute them once I got back
6 from court -- and have the paperwork over
7 to accounting. I didn't expect this lady
8 to come and train me on the computer;
9 nobody gave me any notice or anything.
10 And she stayed there the entire evening,
11 and I didn't get an opportunity to compute
12 anything. So I faxed Ms. Sledge a fax and
13 asked her to send somebody over since I
14 was going to be out -- I was starting my
15 leave again -- to complete those
16 re-examinations of those rents. In my
17 opinion, what happened, Ms. Sledge did not
18 do that, and apparently when close-out
19 date was due, I gather that's when she ran
20 into a problem. Because had she sent
21 somebody the next day, they would have
22 been in accounting in time.

23 Q. So this leave that you were talking about,

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1 A. Uh-huh.

2 Q. And do you remember what the deadline was
3 for the re-examinations?

4 A. We had a close-out date. The close-out
5 date wasn't -- it wasn't due yet. I think
6 it may have been a couple of days after
7 this.

8 Q. Just for the record, we're talking about
9 the e-mail that's in Defendants' Exhibit
10 Number 4 dated July 21, 2004. And it says
11 from Kerry Revell, but Ms. Manzy has said
12 that you were just using her computer. I
13 apologize if I didn't hear you right, but
14 do you think the deadline for the
15 re-examinations fell during the time that
16 you were going to be on leave or was it
17 supposed to --

18 A. It was a few days after that to get them
19 in -- our close-out date, to get them into
20 accounting.

21 Q. So that deadline would have come while you
22 were gone?

23 A. Yes, that's why I e-mailed her.

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1 a certain date. That's the close-out
2 date.

3 Q. Is it always the same date, like always
4 the 25th, or --

5 A. No.

6 Q. It changes every month?

7 A. It changes.

8 Q. Is it always toward the end of the month?

9 A. Not always. I think sometimes it'll be
10 like the middle of the month or whatever.

11 Q. Okay. And the re-examination is just when
12 you go through and you check the income
13 and make sure their rent is still
14 appropriate for their income? Is that
15 what it is?

16 A. Basically, you sit down and interview the
17 tenant and have to fill out several forms,
18 fill out several income verification.

19 Q. But the purpose of it is to make sure that
20 the rent a tenant is paying is appropriate
21 based on their income?

22 A. Based on income, uh-huh.

23 Q. Do you need a break?

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1 had do with the water damage inspection?

2 A. Uh-huh.

3 Q. You did say earlier you didn't think Ms.
4 Sledge had discriminated against you on
5 the basis of race, but are you saying in
6 this lawsuit that these disciplinary
7 actions that were taken against you with
8 the suspension, that that had to do with
9 your race?

10 A. I feel like Ms. Sledge was being told do
11 these things. As a matter of fact, on one
12 incident, she told me that Mickey told her
13 to write me up.

14 Q. Do you remember which incident that was?

15 A. I'm thinking it was the one with the lady
16 and the rent notice, the Tamika White, if
17 that was her name.

18 Q. Tonia Price?

19 A. Yeah.

20 Q. So what you're saying is that Ms. Sledge
21 told you that Mr. McInnish told --

22 A. She said it wasn't a big deal to her, but
23 Mickey told me to write you up.

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1 Q. And you think that Mr. McInnish told her
2 that because you were black?

3 A. Yes.

4 Q. Is that right? Okay. Now, if you get
5 suspended from the Montgomery Housing
6 Authority, is there automatically a
7 hearing, a disciplinary hearing?

8 A. I'm not quite sure.

9 Q. You did have a hearing, though; right?

10 A. For the dismissal. For the dismissal, but
11 I'm not sure about for the suspension.

12 Q. Here, let's see if we can figure it out.
13 Okay. The notice of suspension was from
14 August 10th to August 16th, and the notice
15 of suspension is dated August 9, 2004.
16 And then also as part of Exhibit 4 is this
17 notice of departmental disciplinary
18 hearing. Do you remember -- it says down
19 there that you refused to sign. Do you
20 remember being shown a copy of that or
21 being told about a hearing, a departmental
22 disciplinary hearing?

23 A. Yes.

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1 separate suspension hearing. Do you
2 remember what happened at that hearing?

3 A. That's when I initially was informed that
4 I had been written up for not inspecting
5 the damages and those re-exams, I believe.
6 Yeah.

7 Q. So you did attend a hearing?

8 A. Yes.

9 Q. And do you remember who was there?

10 A. Just Ms. Sledge, Maxine Sledge, and her
11 assistant, Gelene Williams.

12 Q. And at that hearing Ms. Sledge informed
13 you that -- I mean, you had already been
14 on suspension or you -- no, I guess that
15 would have occurred before your
16 suspension?

17 A. I had returned back from my approved
18 annual leave.

19 Q. And so then they had a hearing, and then
20 they suspended you; is that what happened?

21 A. Yes. Well, I think she did it all in one
22 day.

23 Q. Okay. And I missed part of what you said,

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1 but at the hearing they talked about the
2 water inspection -- I mean the water
3 damage inspection and the re-examinations?

4 A. Yes.

5 Q. And that was the only thing that was the
6 subject of that hearing, if you recall?

7 A. Yes.

8 Q. Okay. Defendants' Exhibit 4 shows that
9 your suspension was Tuesday, August 10th
10 through Monday, August 16th. Do you
11 remember, are those the days that you
12 took, or does that sound right?

13 A. That sounds correct.

14 Q. So you would have returned to work on
15 August 17th or -- I can't tell -- it may
16 be August 16th.

17 A. August 17th.

18 Q. And what happened when you returned to
19 work? Do you remember anything about your
20 job or your working conditions or
21 anything?

22 A. When I returned to work late that
23 afternoon, I believe Ms. Sledge brought

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1 when she scheduled a hearing in the
2 conference room.

3 Q. This one is -- let's see. It says that it
4 was given -- or it indicates it was given
5 to you on the 17th, which is consistent
6 with what you just said. What I'm asking
7 is did she just bring it over there to you
8 or did she say -- it says in the -- to
9 consider disciplinary action against you
10 for the following reasons. And then it
11 says, violation for Group III penalties
12 for Offenses K, and it says, which is
13 proven incompetence or inefficiency in the
14 performance of assigned duties in his or
15 her position. What I'm asking is did Ms.
16 Sledge talk about what she thought would
17 be those violations there had been, or did
18 she just hand it to you and walk away, or
19 just tell me what you remember.

20 A. She sat there; I read it; and I explained
21 to her -- I asked her how could they be
22 writing me up again; I had just gotten
23 back to work and, you know, I had such a

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1 heavy workload. And she said to me, I
2 agree with you, Ms. Manzy; it's not fair
3 around here, but we have to do what we
4 have to do, and she gave this to me. And
5 I think I was working on something on the
6 computer with Visual Home and she stopped
7 and helped me complete that and then left
8 the office.

9 Q. So did she give you this at the end of the
10 day or the beginning of the day?

11 A. At the end of the day. She came over
12 there about 4:30.

13 Q. And then this shows that you refused to
14 sign; is that correct?

15 A. Correct.

16 Q. So did you know at this point that you
17 might be terminated or you just thought
18 there was another write-up or another
19 hearing?

20 A. No, I didn't know I was going to be
21 terminated, I don't think. But it was for
22 -- isn't it for a dismissal hearing?

23 Q. Let's see what it says.

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1 there for whoever. By her being the
2 department head, I assumed, since she knew
3 she was suspending me, that she would send
4 someone over to carry on the work. And
5 she didn't. But I was working on the
6 folders, and I had them on my desk. I
7 left them on top of my desk with notes on
8 them as to what had to be done to them.

9 Q. Which folders?

10 A. The move-out folders. The ones she wrote
11 me up for that.

12 Q. So there was a stack of move-out folders
13 that you were --

14 A. That I was in the process of working on.
15 And when she brought me the suspension
16 paper or whatever, I left them there, but
17 I still left notes on them, you know,
18 thinking she was going to send somebody
19 over to complete them since she knew I
20 wasn't going to be there, as to, you know,
21 what had to be done to them and the stages
22 -- some of them I had already keyed into
23 the computer. But instead of her sending

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1 her talking, but I don't remember her
2 specifically, you know, one, two, three,
3 that type thing.

4 Q. Was there anything that you remember her
5 testifying about that you thought just
6 wasn't true? I guess I'm trying to ask
7 you if you thought it wasn't true or you
8 thought it was true, but there was just no
9 way I could get to it because of my
10 workload.

11 A. Some of it I thought just wasn't true and
12 some of it, like I stated today, I had a
13 heavy workload.

14 Q. Do you remember anything that you thought
15 wasn't true?

16 A. The fact that she said the other managers
17 always had their paperwork in and notices
18 done in a timely manner.

19 Q. So you think there were managers who did
20 not have the paperwork in?

21 A. She had to call for paperwork mostly every
22 month. She had to send us memos -- I mean
23 faxes saying, you know, such-and-such

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1 project doesn't have their rent changes
2 in; we need them in.

3 Q. Do you remember any specific examples of
4 that?

5 A. You mean specific complexes -- projects --
6 communities?

7 Q. Well, that's probably a bad question. Do
8 you remember any times that you have
9 personal knowledge of other managers who
10 may have made the same kind of mistakes
11 you made. Do you remember any specific
12 examples of that?

13 A. Examples like who they were?

14 Q. Who they were and maybe how they messed up
15 in their paperwork?

16 A. I know some didn't always have their rent
17 changes in on time.

18 Q. Do you remember who they were?

19 A. She was just calling for different
20 communities. I know two during the time
21 she wrote me up didn't have their rent
22 changes in and that was -- I don't know
23 what community she had. That was Deborah

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1 Reynolds and I think Melissa Pickett.

2 Q. Deborah Reynolds?

3 A. And Melissa Pickett.

4 Q. Is Ms. Reynolds black or white?

5 A. She's black.

6 Q. And Ms. Pickett, is she white or black?

7 A. She's black.

8 Q. Did they get terminated?

9 A. No.

10 Q. Any other more examples like that, that
11 you can think of?

12 A. Well, Ms. Sledge herself, almost each
13 month she faxed memos to all the managers
14 saying that, I don't have rent changes for
15 this community or that community. I can't
16 remember the specific communities, but she
17 would send out faxes. It was like on a
18 monthly basis. It was just -- I don't
19 want to say a habit, but nobody ever had
20 all their work in on time. If it was me
21 this month, it was somebody else next
22 month. If it wasn't me this month, you
23 know, it was somebody else. So it was

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1 office was --

2 Q. By all the managers?

3 A. By all the managers, everybody. So it's
4 not like I'm an isolated case of a person
5 who makes mistakes; everybody's making
6 them.

7 Q. Do you know any other African-American
8 managers who were fired for making those
9 mistakes?

10 A. Well, I know of -- I don't know that -- I
11 don't know her case. I don't know the
12 facts of her case, but I know there -- I
13 don't know if she was fired, to be honest.
14 And you asked me about her earlier. I
15 don't know if she was fired or she just
16 left, so I really don't know.

17 Q. So to your knowledge, you don't know of
18 any other African-American managers who
19 were making the same mistakes you did and
20 they were terminated?

21 A. I can give you her name, but I don't know
22 if she was fired or they forced her to
23 resign.

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1 Q. Well, I mean other than that lady. What's
2 her name? I think you gave it to me.

3 A. No, I didn't give it to you. It's Maggie
4 Gardner.

5 Q. But you're not sure what her situation
6 was?

7 A. I don't know if she was forced to resign
8 or she just left.

9 Q. So other than Ms. Gardner, is there any
10 other African-American managers that made
11 the same mistakes you made and were
12 terminated or were terminated for making
13 fewer or more mistakes than you did?

14 A. We're the only two that I know of.

15 Q. You say that, but then you also said
16 you're not sure about Ms. Gardner's
17 situation?

18 A. Right. I really don't. The reason why
19 I'm saying that, what I'm saying, I don't
20 want to say she was fired for making
21 mistakes. I just know what the rumors
22 were, but I don't know her case like I
23 know my case. I don't know if she ever

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1 got written up or whatever. I don't know
2 her case; I just know what the rumor is.

3 Q. And what is the rumor, that she made
4 mistakes and got terminated?

5 A. That they fired her for whatever reason, I
6 don't know.

7 Q. And I think you said that while you were
8 on leave Ms. Sledge and maybe some others
9 went through your files or went through
10 your office?

11 A. They said they did a search of the office.
12 That's what Rudy Martinez told me, that
13 while I was on leave they did a search of
14 the office.

15 Q. And if Ms. Sledge said that the move-out
16 paperwork was incomplete, you don't
17 dispute that, do you?

18 A. Depending on which ones. Some of them I
19 completed and some of them I didn't, but
20 the thing with that is that I left notes
21 on them. That's what we were supposed to
22 do. If something wasn't completed or was
23 in the file that wasn't completed, you had

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1 notes on them as to what it is that still
2 needs to be done to it, which indicated
3 that you are aware of it and you're
4 working on it. So each file that she
5 found or whatever, I had documented --

6 Q. Each move-out file?

7 A. -- those files. Yes.

8 Q. And then if Ms. Sledge, at the hearing on
9 September 25th, during her inspection, if
10 she said that there were nine vacant units
11 but only two had been inspected, would you
12 have any reason to dispute that?

13 A. I do dispute that.

14 Q. Tell me about that.

15 A. I had inspected all of those apartments.
16 I had inspected all of them; that was
17 indicated on the folders. I had completed
18 the vacated forms. Those was on the
19 folders.

20 Q. I'm sorry, what, now?

21 A. I had inspected the apartments. I had
22 done the inspections.

23 Q. And did you complete all the paperwork

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1 that went along with them?

2 A. Some I had. I was in the process of
3 completing them when she suspended me, the
4 day she came over and told me I was
5 suspended.

6 Q. So did you have those out on your desk
7 with notes on them?

8 A. I had those on my desk with notes on them.
9 And I had the forms showing that I had
10 inspected them and what I had found. I
11 had all that on those folders.

12 Q. Were these apartments that people had just
13 recently moved out of?

14 A. Yes. Sometimes they skip out and you
15 don't know they're gone. And then one
16 incident, this lady, I had documented her
17 file; I was working with her. She had a
18 situation going on where she was away from
19 her apartment for a while.

20 Q. What do you mean?

21 A. She was out of town. She had some type of
22 personal problem with her son or something
23 being in the hospital, I can't remember.

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1 done to the folders.

2 Q. At what point do you go into the computer
3 and start entering information about
4 vacancies?

5 A. I believe it was once you inspect them or
6 whatever.

7 Q. And if Ms. Sledge said only two of them
8 had been entered into the system, would
9 you have any reason to dispute that?

10 A. I can't recall, but they wasn't in there.
11 The paperwork on the folder -- because you
12 have to document what you found wrong with
13 the apartment in the inspection folder.
14 That was with the folders, and if I hadn't
15 called it in to maintenance, it was just
16 because of my workload. Something else
17 probably came up and I, you know, did that
18 and was going to get back to that. But
19 they knew that they had been inspected
20 because the inspection forms indicated the
21 things I found wrong.

22 Q. There were some files that were not
23 corrected after a HUD audit review. Do

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1 you remember anything about that?

2 A. I dispute that because we had to correct
3 the file then send her copies of -- not
4 only send her a copy, I think we had to
5 take the folder back to her as to the
6 correction that was made.

7 Q. You're saying you needed to take the file
8 back to Ms. Sledge?

9 A. Yes.

10 Q. Okay. Now tell me again what you were
11 saying.

12 A. The correction that -- I guess the mistake
13 or whatever she was referring to that was
14 a HUD audit, I dispute that because all of
15 the findings that they said needed to be
16 corrected, I corrected them at that time.
17 And on top of that, I had to type a memo
18 to Ms. Sledge as to what the correction
19 was and when I did it, and I think she had
20 to get a copy to Mr. McInnish. And I
21 believe she again looked at the folder, so
22 the correction, I definitely dispute that.

23 Q. So do you know why she would say that the

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1 error had not been completed if it had
2 been?

3 A. If she wanted to find grounds to dismiss
4 me, I'm sure she would find anything.
5 While I was not there, they went into my
6 office. I wasn't there to see what they
7 did or what they didn't do.

8 Q. Earlier you said that you thought that
9 Mr. McInnish had told Ms. Sledge to do one
10 of your write-ups?

11 A. I didn't think; she told me.

12 Q. So she told you that he told her to do one
13 of your write-ups. But do you think this
14 is just something she's making up?

15 A. No, I think she's acting -- I think she
16 was acting on what she was being
17 instructed to do from Mr. McInnish.

18 Q. Another thing that she talked about at
19 that hearing was there was some charges to
20 the residents that had not been applied to
21 their accounts. What --

22 A. I'm not familiar with that. I don't know
23 what she was referring to.

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1 Q. Well, as a manager, are there -- like if
2 somebody is evicted, do you get involved
3 in the eviction process?

4 A. Yes.

5 Q. And then what -- I mean, if there's like
6 attorney's fees or maybe some damage fees
7 or something like that, is there ever
8 something that might get charged back to
9 the resident?

10 A. We do post those to the account. I had
11 did those too.

12 Q. Well, do you know what she's talking about
13 when she said there were some charges that
14 had not been applied?

15 A. I guess she was referring to those.

16 Q. To which ones?

17 A. To the charges not being filed. We had to
18 do the paperwork, send it over to
19 accounting, and they had runners or
20 somebody to pick them up. If they didn't
21 come pick them up, if we were too busy,
22 they didn't get over there. But all of
23 those things she's complaining of, they

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1 were with the folder indicating to her
2 that I was in the process of working on
3 them.

4 Q. So there would have been --

5 A. There would have been the charge slip with
6 whichever folder she's referring to.

7 Q. And when you took your -- or when you were
8 suspended, did you leave notes on every
9 folder that you were working on?

10 A. It was just those that was on my desk,
11 those move-outs that I knew had to go over
12 there, that I was in the process -- that I
13 had on my desk working on.

14 Q. Well, you said there were notes on the
15 inspection files also, and then I think
16 you just said --

17 A. That was the move-out files, the
18 inspection files, the move-out files.

19 Q. So the move-out files are the same as the
20 vacancy files?

21 A. Yes.

22 Q. Okay. That's where I was getting
23 confused. So were there also notes then

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1 on the charges that were going to be
2 applied to the residents?

3 A. Okay. I'm thinking those charges she's
4 talking about are for the vacancy, the
5 move-out files.

6 Q. Is that the same kind of file as an
7 eviction file?

8 A. Well, yeah, because you have to inspect
9 the folders, so it may have been one of
10 the inspection folders. I can't recall
11 specifically which one she's referring to.

12 Q. But if your memory is right, then this
13 would have been part of the files that
14 were on your desk that you didn't get to?

15 A. Right, that I was in the process of
16 working on and left for her to work.

17 Q. What about setting some temporary rents as
18 opposed to -- or setting a temporary rent
19 for a tenant and then not following up on
20 it to establish the correct amount of
21 rent? She testified about that at that
22 hearing also.

23 A. I don't know what she was referring to.

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1 Q. Do you know what a temporary rent is?

2 A. Yes, when you just put them on a rent
3 temporarily until you get their income
4 verification in, then you go back and
5 change it.

6 Q. So were there some that you had not been
7 able to change yet?

8 A. I can't recall. It may have been, but if
9 it was, I documented my file and
10 apparently I was waiting for something to
11 come in. Now -- so if it was,
12 documentation was on the folder. I don't
13 recall it right now.

14 Q. Well, if Ms. Sledge testified that there
15 were some that had not -- there were some
16 that just had temporary rent and that the
17 permanent rent had not been set yet, would
18 you have any reason to dispute that, or
19 would that just be because you hadn't
20 gotten to it yet?

21 A. I don't recall.

22 Q. And did you ever establish flat rents for
23 tenants?

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1 A. If they were supposed to be on a flat
2 rent.

3 Q. When is it that you put them on a flat
4 rent?

5 A. I can't recall. But I do know that they
6 didn't provide us with the correct flat
7 rent amounts.

8 Q. Tell me when you use a flat rent.

9 A. It's basically when the tenant rent is a
10 certain amount -- there's like a cap, and
11 I think when they get to that cap, you put
12 them like -- that flat rent is just like
13 the cap, the maximum that you can charge
14 them for that apartment.

15 Q. And then are you supposed to come back and
16 convert it to an income based rent?

17 A. If their income changes where it's no
18 longer at the flat or the cap rent.

19 Q. So when do you income rent and when do you
20 do flat rent?

21 A. When you compute their rents, whatever
22 their rent calculates to be, if it was at
23 the flat rent rate, you have to charge

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1 Q. But don't you have to have a lease in
2 every file, signed and completed?

3 A. You do, but then you have to get the
4 tenant in to sign them. Sometimes they
5 may not come in or the lease may have been
6 wrong. But as far as my knowledge, all my
7 files had leases.

8 Q. Well, if Ms. Sledge testified under oath
9 that there were some files that didn't
10 have them, would she just be making that
11 up?

12 A. I don't recall none of my files not having
13 leases.

14 Q. So do you have any explanation as to why
15 Ms. Sledge would have testified to that?

16 A. No, I don't.

17 Q. What about ceiling rents? Did you have
18 files that had ceiling rents on them?

19 A. There may have been a few.

20 Q. Did you know that the housing authority
21 had not used ceiling rents since November
22 of 2003?

23 A. I'm thinking she didn't inform us of that

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1 until much later after they had been used.

2 Q. You're saying Ms. Sledge didn't tell y'all
3 that?

4 A. Yes.

5 Q. Who is y'all?

6 A. The other managers.

7 Q. So were there other managers who were
8 using ceiling rents?

9 A. I don't know.

10 Q. How would she normally have notified you
11 about the change in the ceiling rent? Is
12 that something you would get a memo on or
13 did a meeting or how would you --

14 A. Probably in a meeting or memo, but they
15 would give us a table, a rate table.

16 Q. That had all of the rents on it or
17 something?

18 A. Uh-huh.

19 Q. Is it your testimony that you just didn't
20 receive a rate table?

21 A. I don't recall her telling us something
22 like we wasn't using ceiling rents or --
23 okay. Ms. Sledge and Mr. McInnish were

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1 both confused about that flat rate and
2 ceiling rate. So probably when they
3 stopped using whatever, I don't feel that
4 I was adequately informed.

5 Q. About the decision not to use that?

6 A. The ceiling rents.

7 Q. Okay. And we already talked about the
8 incomplete annual re-examinations; right?
9 That would have been what was in that
10 second write-up; is that right?

11 A. You said interim?

12 Q. Incomplete annual re-examinations.

13 A. I think so.

14 Q. And was there a lot of filing that had not
15 been done yet that you had in your office
16 that you just had not had a chance to file
17 yet?

18 A. I don't think so, because I had came in on
19 a weekend and worked, and I had had one of
20 the other managers come with me so we
21 could catch up on the filing. And then
22 because of the audit that was coming up,
23 they had a temporary girl there from Kelly

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1 Services. She had completed the other
2 filing.

3 Q. So it's your testimony that you were
4 caught up on your filing?

5 A. To the best of my knowledge I was.

6 Q. Did you tell Ms. Sledge that -- let me
7 back up. Did Ms. Sledge ever talk to you
8 about, these are all the things that were
9 wrong with your files while you were gone?

10 A. No.

11 Q. So when did you first learn of that? Was
12 that at the hearing with Mr. Luck?

13 A. I believe so.

14 Q. And then did you testify about anything?

15 A. Well, I'm recalling back to -- it probably
16 was the dismissal hearing where Mickey
17 said they had -- not Mickey. Rudy
18 McInnish said they had conducted a search
19 of the office.

20 Q. You mean Rudy Martinez?

21 A. Uh-huh.

22 Q. Well, is it your belief that all the other
23 managers had this -- that their files were

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1 terminate them, what makes you think your
2 termination was because of race?

3 A. Because he treated the white employees
4 better. I don't know if he was eventually
5 going to get around and terminate the
6 other black employees or not, but I know
7 how he treated me as opposed to the white
8 employees.

9 Q. Do you know how he treated the other black
10 managers?

11 A. I can't speak for them. I don't know.

12 Q. There are eight housing authority
13 communities; is that right?

14 A. I'm not for sure.

15 Q. Well, I have a list of some. I have
16 Cleveland Court, Gibbs, Riverside, Tulane,
17 Patterson, Trenholm, Smiley, and
18 Richardson Terrace. Are there any others
19 you can think of?

20 A. You said Riverside?

21 Q. Yes, ma'am.

22 A. Okay.

23 Q. And of those eight, to your knowledge, are

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1 any of those smaller -- you were
2 responsible for Patterson; right?

3 A. Yes.

4 Q. Are any of those eight communities smaller
5 than Patterson except for Cleveland Court
6 and Richardson Terrace?

7 A. I'm not sure. I don't know.

8 Q. So if I said that Gibbs and Riverside and
9 Tulane and Trenholm and Smiley were all
10 bigger than Patterson, would you have any
11 reason to dispute that?

12 A. Probably not, but I'm thinking those may
13 have been the ones that had an assistant
14 there, a clerk or somebody, so it was like
15 two people or maybe three if the social
16 worker had...

17 Q. Did you know the manager at Tulane?

18 A. I can't recall who it was.

19 Q. Do you know if he or she had any problems
20 with their files and getting their
21 paperwork done?

22 A. In the manager meetings, all of the
23 managers complained about their workload

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1 and needing help, needing assistance. So
2 based upon that and based upon some
3 conversation with them, yes, they had
4 trouble in their offices.

5 Q. Well, do you remember who it was that you
6 had conversations with?

7 A. No.

8 Q. Going back to the write-ups that Ms.
9 Sledge did, is it your belief that
10 Mr. McInnish made her do all of those, all
11 the write-ups?

12 A. Yes.

13 Q. And is it your belief that when she
14 testified under oath at a hearing about
15 the problems that she had found, that he
16 was making her testify?

17 A. Yes.

18 Q. What evidence of that do you have?

19 A. The fact -- the one time she told me
20 Mr. McInnish told her to write me up.

21 Q. And that is the write-up for when the
22 resident complained about the rent change?

23 A. Yes, I believe so.

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1 Q. But managers are expected to get rent
2 change forms out timely; right?

3 A. Yes, if possible.

4 Q. That's part of a manager's job; one of the
5 duties is to get the rent change forms
6 out; right?

7 A. Yes.

8 Q. So you did in fact -- it did take you some
9 time to get that rent change form out;
10 right? I mean, it wasn't done in a timely
11 fashion; is that correct? Because I think
12 you said something with your workload?

13 A. Uh-huh.

14 Q. So you were late in getting it out?

15 A. Yes. But Deanne, the white accounting
16 clerk, could have posted it to her receipt
17 and she still would have had notice.

18 Q. But that doesn't have anything to do with
19 -- I mean, with what you still have to do
20 as a manager. I mean, everybody has their
21 own job to do; right?

22 A. Well, yes, but everybody wasn't -- had
23 excessive workloads or had assistance --

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1 they had assistance with their work and I
2 didn't.

3 Q. So basically if I understand you, you're
4 saying that the problems that we've talked
5 about today, just if you had had an
6 assistant, you could have gotten the work
7 done?

8 A. That's the way it was in the past, yes.

9 Q. I know I asked you this question before,
10 and you answered it I think, but -- I
11 mean, nobody ever told you, we're
12 terminating you because of your race;
13 right? I know that sounds like a crazy
14 question, but I need you to answer it.

15 A. No.

16 Q. And the reasons they gave were because of
17 the write-ups that we've discussed here
18 today; is that right?

19 A. Yes.

20 Q. And you don't dispute that there were
21 problems with your files and that -- you
22 know, the problems that we've talked about
23 today, with the rent form being mailed

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1 treated on that job as a black employee as
2 opposed to the white employees.

3 Q. And that's the stuff we talked about
4 earlier today?

5 A. Yes.

6 Q. Are there any white employees that you
7 know of who made the kind of mistakes that
8 we've talked about today here with you who
9 did not get terminated?

10 A. I don't know about, you know, other
11 people's work, but I'm sure they made
12 errors.

13 Q. But I mean, do you know of any? As you
14 sit here today, do you have any knowledge
15 about them?

16 A. No.

17 Q. Do you think that they just made up all
18 this stuff, all the problems with the
19 files, or is it your position that they
20 just applied it too harshly to you? Did
21 that make sense?

22 A. Yeah, that makes sense. I feel like it
23 was applied too harshly -- considering the

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1 whether or not one person could do that
2 versus two people?

3 A. The fact that he provided them with help,
4 you know, indicating that apparently she
5 had a heavy workload; he gave her relief.
6 I had a heavier workload. Initially there
7 were two people in the office so
8 apparently two people couldn't have done
9 it -- or one person couldn't have done it.

10 Q. Do you know anything about how the white
11 employees' workloads that you're talking
12 about -- and when I say the white
13 employees, I'm talking about the ones you
14 named earlier for me today, just so you
15 know. Do you know anything about how
16 their workload compared to yours
17 specifically?

18 A. I don't think that matters. I don't think
19 that matters. It matters that I had an
20 excessive workload; they had an excessive
21 workload; they were given help; I was not.

22 Q. Well, what if whatever had to be done in
23 accounting was something that really

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1 needed three or four people to do, but
2 they were just making do with two people?

3 A. Well, that was an opinion.

4 Q. But that's what I'm asking, though. It
5 sounds like yours is an opinion. That's
6 what I'm trying to find out, is where do
7 you figure out --

8 A. It was an opinion that he -- if he thought
9 they needed help and I didn't, that was
10 his opinion, whereas -- and the evidence
11 is there. If I made those kind of
12 mistakes, in my opinion, you need help,
13 because this is not a person who did
14 sloppy work until her help was taken away
15 or the workload got excessive. So if
16 you're going to help one person, why be
17 prejudiced and not help the other one
18 simply because she's black and you're
19 creating a hardship for her.

20 Q. I apologize, because it sounds like I'm
21 harping on this, but I just want to know
22 if you had any personal knowledge about
23 how a manager's workload or your workload

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1 in particular compared to, you know, Jill
2 West's workload or the other individuals
3 that you named, like Deanne Smith or the
4 Wendy individual who worked in the Section
5 8 office. Do you have any knowledge about
6 how their particular --

7 A. I have knowledge of Kerry Revell's.

8 Q. You do have knowledge about Kerry
9 Revell's?

10 A. She worked in the office with me.

11 Q. Okay. Well, we'll come back to her, then.
12 And then Diane Bishop was a manager;
13 right?

14 A. Uh-huh.

15 Q. Okay. Well, let's talk about the other
16 three, Deanne Smith, Jill West, and Wendy
17 in the Section 8 office. Do you have any
18 knowledge about how what you had to do
19 every day compared to what they had to do
20 every day?

21 A. Not really, no.

22 Q. And then you said you did have knowledge
23 about Kerry Revell's. Tell me about that.

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1 A. She just basely conducted activities for
2 the children in the center after school.
3 From 8 to 12 there was no children in the
4 center; there was no activities to be
5 done. I think she did maybe a couple of
6 move-in inspections where she had to go
7 out to the person's home and inspect, and
8 that was about two days a week.

9 Q. Do you know what her salary was?

10 A. No, I have no knowledge of that.

11 Q. When you were working with Kerry, was your
12 salary around 37 or 39? Would that be the
13 right time frame?

14 A. Yes.

15 Q. Would it be the case that, you know,
16 managers were expected to do more because
17 they were making a lot more money?

18 A. I don't know.

19 Q. And then Diane Bishop was the other
20 person. Because she was a manager, is it
21 your position that you do have knowledge
22 about her workload?

23 A. Yes.

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1 Q. And what is it you know about her
2 workload?

3 A. She basically did the same thing and the
4 same duties I did, but she had a smaller
5 unit. And a lot of times you have to look
6 at the characteristics of the complex.
7 What I mean by that is the residents and
8 how they may keep you busy. She had
9 mostly elderly people and handicapped
10 people. Elderly people pay their rent
11 around the first of the month. They
12 normally do what they have to do.

13 Q. Do you have any knowledge about what Diane
14 Bishop's salary was?

15 A. It should have been comparable to mine or
16 more. I really don't know.

17 Q. And then what about the -- because like
18 the manager who worked at Trenholm and the
19 manager who worked at Smiley, they had a
20 lot more units than you did, didn't they?

21 A. They probably did, yes.

22 Q. To your knowledge, the managers that were
23 there, are they still there?

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1 differently than you?

2 A. Yes.

3 Q. And have we talked about all the reasons
4 that you think you were discriminated
5 against?

6 A. Yes.

7 Q. And have we talked about all the ways that
8 you feel like you were discriminated
9 against?

10 A. Yes.

11 Q. Did you ever hear any of the people out at
12 Montgomery Housing Authority make any kind
13 of what I would call a racial slur or a
14 racial comment? You know, Mr. McInnish I
15 think is the one you said you feel like
16 discriminated against you. Have you ever
17 heard him make any kind of racial comment
18 towards you or about anybody?

19 A. No.

20 Q. And I know you had a hearing with Mr. Luck
21 and then you had a hearing with the
22 personnel board at the city of Montgomery.
23 And both of those hearings, the outcome

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1 was in favor of the Montgomery Housing
2 Authority; is that correct?

3 A. Yes.

4 Q. Do you feel like the hearing officers were
5 -- did you feel like they were racially
6 motivated in their decision?

7 A. No.

8 Q. So what is it that you think caused the
9 outcome of those hearings, then?

10 A. I guess believing what was reported to
11 them.

12 Q. You never had any injuries on this job?

13 A. Injuries?

14 Q. Injuries, yeah.

15 A. No.

16 Q. Have you ever filed bankruptcy?

17 A. Not yet, no.

18 Q. And where do you work now?

19 A. Alabama State University.

20 Q. And what's your salary?

21 A. \$7.82 an hour.

22 Q. And what's your job title?

23 A. On-call dorm supervisor.

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1 MR. HURST: No, I don't even
2 think I alleged anything.

3 MS. ROGERS: You didn't, but I
4 wanted to make sure.

5 MR. HURST: No.

6 MS. ROGERS: Okay.

7 Q. In your complaint you said that there were
8 some white employees who got better job
9 assignments but who had the same pay or
10 greater pay. Do you have any specific
11 knowledge about the salaries of any of the
12 white employees at the housing authority?

13 A. No.

14 Q. Was there anybody who got any kind of
15 special training, whether it be computer
16 training or training to fill out forms or
17 anything, that you did not receive?

18 A. You mean someone outside of management?

19 Q. Well, we'll just stay with managers
20 because -- were there any managers who --
21 well, let me back up. Was there any
22 training you needed to be able to do your
23 job better?

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1 A. Yes.

2 Q. Were there classes that they offered or
3 something, or you just wanted --

4 A. No, there are -- I mean, colleges like AUM
5 offer classes like that, or I thought
6 maybe if he knew of an agency that could
7 come in and assist us.

8 Q. Did anybody that you know of get any kind
9 of time management training, anybody that
10 worked at the Montgomery Housing
11 Authority?

12 A. Not that I'm aware of.

13 Q. Other than the write-ups that we've talked
14 about today, are you aware of any
15 complaints that were made about you and
16 your work performance?

17 A. No.

18 Q. Are you seeking punitive damages from the
19 housing authority? Punitive damages are
20 damages that are designed to punish.

21 A. Punish? I'm not for sure.

22 Q. Do you think the housing authority has
23 done something they need to be punished

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1 A. That they were not getting written up?

2 Q. Yes.

3 A. I never -- there's a rumor mill there. I
4 never heard of one getting written up.

5 Q. So it's just based on the rumor mill?

6 A. They're usually true at the housing
7 authority.

8 Q. You say you're not aware of any timelines
9 about turning forms in. Did you think you
10 had as long as you wanted to turn stuff
11 in? I mean, you knew you had to turn it
12 in timely; right?

13 A. Yes, I did.

14 Q. Okay. That's all I have.

15 (The deposition of DOROTHY
16 MANZY was concluded at 4:05
17 p.m. on March 17, 2006.)
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